

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

**TEXTRON INNOVATIONS INC.,**

**Plaintiff,**

**V.**

**THE TORO COMPANY,**

**Defendant.**

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**C. A. No. 05-486 (GMS)**

## JURY TRIAL DEMANDED

**NOTICE OF VIDEOTAPED DEPOSITION OF BEN STREET**

To: The Toro Company and its attorneys:

Anthony R. Zeuli, Esquire  
MERCHANT & GOULD P.C.  
3200 IDS Center  
80 South 8<sup>th</sup> Street  
Minneapolis, MN 55402

Richard L. Horwitz, Esquire  
POTTER ANDERSON & CORROON LLP  
Hercules Plaza, 6<sup>th</sup> Floor  
1313 N. Market Street  
Wilmington, Delaware 19899-0951

PLEASE TAKE NOTICE that Plaintiff, Textron Innovations Inc., will take the deposition by oral examination of Kevin Conry commencing on **October 24, 2006**, beginning at **9:00 a.m.** at the offices of Frederikson & Bryon, P.A., 200 South Sixth Street, Suite 4000, Minneapolis, Minnesota or at some other place mutually agreed upon by counsel.

Said deposition will be taken by stenographic and videographic means before a notary public and will continued from day to day as necessary until completed.

This Notice serves as formal notice of the deposition informally noticed on September 27, 2006.

Dated: September 28, 2006

THE BAYARD FIRM

/s/ Edmond D. Johnson

Edmond D. Johnson (#2257)

Peter B. Ladig (#3513)

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